



San Bernardino Associated Governments
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•San Bernardino County Transportation Commission •San Bernardino County Transportation Authority
•San Bernardino County Congestion Management Agency •Service Authority for Freeway Emergencies

AGENDA

Board of Directors Meeting

May 5, 2004

Start Time: 9:30 a.m.

LOCATION

Norman Feldheym Library, Mary Kellogg Room
555 Sixth Street, San Bernardino

Board of Directors

President

Bill Alexander, Mayor
City of Rancho Cucamonga

Kelly Chastain, Council Member
City of Colton

Gary Ovitt, Mayor
City of Ontario

Paul Cook, Council Member
Town of Yucca Valley

Vice-President

Paul Biane, Supervisor
County of San Bernardino

Mark Nuaimi, Mayor
City of Fontana

Pat Gilbreath, Council Member
City of Redlands

Dennis Hansberger, Supervisor
County of San Bernardino

Jim Nehmens, Mayor
City of Adelanto

Bea Cortes, Council Member
City of Grand Terrace

Kurt Wilson, Mayor Pro Tem
City of Rialto

Bill Postmus, Supervisor
County of San Bernardino

Edward (Ted) Burgnon, Council Member
Town of Apple Valley

James Lindley, Council Member
City of Hesperia

Judith Valles, Mayor
City of San Bernardino

Clifford Young, Supervisor
County of San Bernardino

Lawrence Dale, Mayor
City of Barstow

Larry McCallon, Mayor Pro Tem
City of Highland

Jim Bagley, Mayor
City of Twentynine Palms

Patti Aguiar, Supervisor
County of San Bernardino

Neal Hertzmann, Council Member
City of Big Bear Lake

Robert Christman, Council Member
City of Loma Linda

John Pomierski, Mayor
City of Upland

Anne Mayer, Caltrans
Ex-Officio Member

Eunice Ulloa, Mayor
City of Chino

Paul Eaton, Mayor
City of Montclair

Mike Rothschild, Council Member
City of Victorville

Norman R. King
Executive Director

Gwenn Norton-Perry, Council Member
City of Chino Hills

Rebecca Valentine, Council Member
City of Needles

Richard Riddell, Mayor
City of Yucaipa

**San Bernardino Associated Governments
County Transportation Commission
County Transportation Authority
County Congestion Management Agency
Service Authority for Freeway Emergencies**

Board of Directors

AGENDA

**May 5, 2004
9:30 a.m.**

Location:

Norman Feldheim Library, Mary Kellogg Room
555 Sixth Street, San Bernardino

To obtain additional information on any items, please contact the staff person listed under each item. You are encouraged to obtain any clarifying information prior to the meeting to allow the Board to move expeditiously in its deliberations. Additional meeting procedures and agenda explanations are attached to the end of this agenda.
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Call to Order - 9:30 a.m.
(Meeting chaired by Mayor Bill Alexander)

- I. Attendance
- II. Announcements
- III. Agenda Notices/Modifications – Vicki Watson

<i>Notes/Actions:</i>

1. Possible Conflict of Interest Issues for the SANBAG Board Meeting of May 5, 2004.	Pg. 12
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Note agenda item contractors, subcontractors and agents, which may require member abstentions due to conflict of interest and financial interests. Board Member abstentions shall be stated under this item for recordation on the appropriate item.

[brd0405z-dmk.doc](#)

Consent Calendar

Consent Calendar items shall be adopted by a single vote unless removed by Board member request. Items pulled from the consent calendar will be brought up under Agenda Item 27.

Administrative Matters

2. **Board of Directors Attendance Roster** [brdatt04.doc](#) Pg. 14
3. **Procurement Report for March 2004** Pg. 18
Receive Monthly Procurement Report. **Susan Van Note**
This item was unanimously received by the Administrative Committee on April 14, 2004. [BRD0405a-svn.doc](#)
4. **SANBAG's Office Building at 472 N. Arrowhead** Pg. 20
 1. Approve Appraisal No. 04-04, dated February 11, 2004, copies of which are on file with the County of San Bernardino Real Estate Services Department (RESO) and SANBAG.
 2. By a four-fifths vote, adopt Resolution No. 04-017 declaring the property located at 472 N. Arrowhead, San Bernardino, is no longer necessary and is surplus to the needs of SANBAG, stating SANBAG's intent to sell the property, and directing the San Bernardino County Real Estate Services Department to conduct the sale. **Susan Van Note**
This item was unanimously recommended for approval by the Administrative Committee on April 14, 2004. [BRD0405c-svn.doc](#)
5. **SANBAG Policy 10110, Employment Status and Classification and Policy 10107, Compensation Administration** Pg. 24
Approve amendments to SANBAG Policy 10110, Employment Status and Classification, and Policy 10107, Compensation Administration, implementing provisions relative to Professional/Administrative and Senior Management Group ranges and advancement. **Deborah Barmack**
This item was reviewed by the Administrative Committee and Board of Directors in March 2004. [BRD0405C-DRB.doc](#)

Consent Calendar Continued....**Program Support/Council of Govts.****6. Printing Services for Measure I Public Information Materials** Pg. 28

Approve Sole Source Purchase Order No. 0490 with Clearwater Graphics for printing of Measure I public information materials in an amount not to exceed \$70,000 as specified in the Financial Impact Section. **Cheryl Donahue** [BRD0405A-CDD.DOC](#)

This item was reviewed and unanimously recommended for approval by the Administrative Committee on April 14, 2004.

7. Measure I Public Information Materials Mailing Services Pg. 36

Approve Sole Source Purchase Order No. 0491 with Dan Siwulec Communications Marketing, Inc. for mailing services for Measure I public information materials in an amount not to exceed \$45,000 as specified in the Financial Impact Section. **Cheryl Donahue**

This item was reviewed and unanimously recommended for approval by the Administrative Committee on April 14, 2004.

[BRD0405B-CDD.DOC](#)

Regional & Quality of Life Programs**8. Amendment to Contract No. 02-001 with Professional Communications Network (PCN) for call answering center (CAC) services** Pg. 42

Approve Amendment No. 2 to Contract No. 02-001 and exercise the option to extend the contract for one year with PCN for CAC services, through June 30, 2005. The total contract amount will remain unchanged at an amount not to exceed \$898,126.

Michelle Kirkhoff and Kelly Lynn [BRD0405a-mmk.doc](#)

This item was reviewed and unanimously recommended for approval by the Plans and Program Committee on April 21, 2004. The San Bernardino SAFE Counsel has approved this amendment as to form.

9. Amendment to a reimbursement contract with the Riverside County Transportation Commission (RCTC) for call answering center (CAC) services Pg. 48

Approve Amendment No. 1 to Contract No. 02-006 with RCTC for reimbursement of revenue for their share of CAC services, extending the contract through June 30, 2005. The total contract amount will remain as is, not to exceed \$359,251.00.

Michelle Kirkhoff and Kelly Lynn [BRD0405b-mmk.doc](#)

This item was reviewed and unanimously recommended for approval by the Plans and Programs Committee on April 21, 2004. This item has been reviewed by SAFE Counsel.

Consent Calendar Continued....**Regional & Quality of Life Programs (Cont.)**

10. **Request for Proposals (RFP) for Digital Cellular Service for Regional Call Box Programs** Pg. 54

Approve a Tri-County RFP (No. 05-002) for Digital Cellular Service for Call Boxes in Riverside, San Bernardino and San Diego Counties. **Michelle Kirkhoff and Kelly Lynn**

This item was reviewed and unanimously recommended for approval by the Plans and Programs Committee on April 21, 2004. The San Bernardino SAFE Counsel has approved the draft RFP and contract as to form.

[BRD0405c-mmk.doc](#)

11. **Amendment to the Riverside County Transportation Commission (RCTC) contract for the implementation of Trip Reduction/Ridesharing services** Pg. 60

Approve Amendment No. 1 to Contract No. 04-003 to increase the Contract amount by \$1,074,820, and extend the contract for one additional year, through June 30, 2005. The total contract amount will not exceed \$2,180,170. **Michelle Kirkhoff and Kelly Lynn**

This item was reviewed and unanimously recommended for approval by the Plans and Programs Committee on April 21, 2004. SANBAG Counsel has approved the contract as to form. [BRD0405d-mmk.doc](#)

12. **Amendment No. 4 to Continuing Cooperative Agreement No. 02-046 with the Southern California Association of Governments (SCAG) for Pass-Through and Management of Federal Metropolitan Planning (OWP) Funds** Pg. 68

1) Approve Amendment No. 4 to Continuing Cooperative Agreement No. 02-046 between SCAG and SANBAG to address use of in-kind local match and SCAG Overall Work Program (OWP) funding of Freight Movement Analysis, Subregional Model Development, Regional Transportation Plan (RTP) Development and Growth Visioning, Land Use Data, and General Plan Data in the amount of \$187,250 and SANBAG matching funds in the amount of \$24,263.

2) Approve an amendment to the Fiscal Year 2003-2004 SANBAG Budget as follows:

Reduce Task No. 0420200, Transportation Modeling and Forecasting, in the amount of \$11,264.

Increase Task No. 0440942, Data Development and Maintenance, in the amount of \$10,000. **Ty Schuiling**

This item was reviewed and unanimously recommended for approval by the Plans and Programs Policy Committee on April 21, 2004. SANBAG Counsel has approved the agreement as to form. [brd0405a-ty.doc](#)

Consent Calendar Continued....

Regional & Quality of Life Programs (Cont.)

13. Amendment to extend period of performance for Contract No. 04-037 with Cambridge Systematics, Inc for the Development Mitigation Nexus Study. Pg. 74

Approve amendment No. 1 to extend the period of performance for Contract No. 04-037 with Cambridge Systematics, Inc. for the Development Mitigation Nexus Study. **Ty Schuiling**

This item was reviewed and unanimously recommended for approval by the Plans and Programs Committee on April 21, 2004. [brd0405a-ss.doc](#)

14. SANBAG Resolution No. 04-022 certifying that the list of transportation projects submitted by San Bernardino Associated Governments for inclusion in the Southern California Association of Governments' Fiscal Year (FY) 2004/05-2009/10 Regional Transportation Improvement Program (RTIP) is financially constrained. Pg. 80

Approve SANBAG Resolution No. 04-022. **Ty Schuiling**

This item was reviewed and unanimously recommended for approval by the Plans and Programs Policy Committee on April 21, 2004. [brd0405a-lep.doc](#)

15. Award of Pre-allocated Transportation Enhancement Activities (TEA) Funding from Extension of TEA-21 Pg. 88

Approve an award of \$908,000 in TEA funds to the City of Upland for the Pacific Electric Trail project. **Ty Schuiling**

This item was reviewed and unanimously recommended for approval by the Plans and Programs Policy Committee on April, 21, 2003. [brd0405b-lep.doc](#)

Subregional Transportation Planning & Prog.

16. North County Combined Highway Corridors Study Pg. 90

Support the adoption of the North County Combined Highway Corridors Study by Los Angeles County Metropolitan Transportation Authority Board of Directors. **Andrew Green**

This item was reviewed and support was unanimously recommended by the Mountain/Desert Committee on April 16, 2004. [BRD0405A-ADG.DOC](#)

Consent Calendar Continued....**Legislative Matters**

17. **Update on House TEA-21 Reauthorization Efforts** Pg. 96

Receive summary report on H.R. 3550, TEA-LU.

Kristine Leathers

This item was reviewed by the Administrative Committee on April 14, 2004. [BRD0405B-kal.doc](#)

18. **AB 2498 (Longville)** Pg. 102

Receive update on SANBAG sponsored legislation AB 2498, which would clarify the intent of the State's funding program for freeway service patrol (FSP). **Kristine Leathers**

This item was reviewed by the Administrative Committee on April 14, 2004. It has also been reviewed by SANBAG counsel and was part of the Board adopted 2004-05 State Legislative Agenda. [BRD0405A-kal.doc](#)

Project Development

19. **Amendment to Contract 99-029 with HNTB Corporation for SR 210 Segment 10 Design Services** Pg. 108

Approve Amendment No. 6 to Contract 99-029 with HNTB Corporation extending the period of performance to December 31, 2004 and increasing the contract in the amount of \$71,900 as detailed in the Financial Impact Section. **Darren Kettle**

This item was reviewed and recommended for approval 10-0-3 (Biane, Pomierski, and Wilson abstained), by the Major Projects Committee on April 15, 2004. [brd0405c-dmk.doc](#)

20. **Amendment No. 2 to Cooperative Agreement No. 94-039 with Caltrans for right of way acquisition for I-10 widening project** Pg. 114

1.) Approve Amendment No. 2 to Cooperative Agreement No. 94-039 with Caltrans for right of way acquisition on the I-10 widening project extending the agreement to June 30, 2004 and increasing the contract by \$1,500,000 for a total of \$4.1 million as specified in the financial impact section.

2.) Approve budget amendment to increase task 0437000 in the amount of \$1,500,000. Funding source is Measure I Valley Major Projects Fund as detailed in the Financial Impact Section.

Darren Kettle

This item was reviewed and unanimously recommended for approval by the Major Projects Committee on February 12, 2004. [brd0405g-dmk.doc](#)

Consent Calendar Continued....**Project Development (Cont.)**

- 21. Approval of Local Right of Way Agreements Nos. 04-031 and 04-044 with Caltrans for Interstate 215 Right of Way Capital funding.** Pg. 120

1. Rescind Contribution Agreement Nos. 04-031 and 04-043 with Caltrans and 2003/04 SANBAG budget amendment associated with these agreements, and

2. Approve Right of Way Agreement No. 04-059 with Caltrans to provide federal Congestion Mitigation/Air Quality (CMAQ) funds in the amount of \$10.518 million and committing local match \$1,362,718 of Measure I Major Projects funds for Interstate 215, Segment 3 Right of Way (ROW) Capital, and

3. Approve Right of Way Agreement No. 04-060 with Caltrans to provide federal Congestion Mitigation/Air Quality (CMAQ) funds in the amount of \$3.5 million and committing local match \$453,462 of Measure I Major Projects funds for Interstate 215, Segment 1 Right of Way (ROW) Capital, and

4. Approve budget amendment to SANBAG FY 2003/04 Budget Task Number 0425300 in the amount of \$15,834,180 million as detailed in the Financial Impact Section. **Darren Kettle**

This item was reviewed and unanimously recommended for approval by the Major Projects Committee on April 15, 2004.

[brd0405d-dmk.doc](#)

Transportation Programs & Fund Administration

- 22. Federal Transit Administration (FTA) Section 5310 Applications for Program Year 2004/2005** Pg. 134

1. Adopt prioritization of applications received from the Fort Mojave Social Services, Omnitrans and Redlands Community Hospital.

2. Approve amending the Regional Transportation Improvement Program (RTIP) to include projects applied for by San Bernardino County entities; and

3. Adopt Resolution 04-023 certifying the projects recommended for funding are consistent with the Regional Transportation Plan. **Victoria Baker**

This item was reviewed and unanimously recommended for approval by the Plans and Programs Committee on April 21, 2004. [BRD0405a-vlb.doc](#)

DISCUSSION ITEMS

Administrative

23. SANBAG 2004/2005 Proposed Budget Pg. 142

1. Presentation of the SANBAG 2004/2005 Proposed Budget; and
2. Receive the SANBAG Work Program for 2004/2005 for SANBAG Senior Management. **Susan Van Note**

All five of the SANBAG policy committees have reviewed task descriptions and budgets for activities under their purview. The Administrative Committee also reviewed elements related to agency wide programs, expenditures, revenue projections and the fringe/indirect allocations. The Administrative Committee recommended that the Proposed Budget be presented for Board consideration. [brd0405b-svn.doc](#)

Transportation Programs & Fund Administration

24. Measure I Renewal Expenditure Plan Pg. 144

1. Approve Exhibit A, Transportation Expenditure Plan, for circulation to cities and the County;
3. Recommend adoption of a resolution by each jurisdiction approving the Measure I Transportation Expenditure Plan.
Norm King

The proposed Transportation Expenditure Plan has been developed and recommended for approval by the Measure I Ad Hoc Committee. This item was reviewed and unanimously recommended for approval by the SANBAG Major Projects, Mountain/Desert, and Plans and Programs Committees during the month of April. [BRD0405D-DRB.doc](#)

Subregional Transportation Planning & Programming.

25. Mountain Travel Demand Model Pg. 164

Approve Amendment No. 1 to sole source Contract No. 03-059 with Wilbur Smith Associates to extend the period of performance from June 30, 2004, to October 31, 2004. **Deborah Barmack**

This item was reviewed and unanimously recommended for approval by the Mountain/Desert Committee on April 16, 2004. [BRD0405A-DRB.DOC](#)

Discussion Items Continued....

Transit/Commuter Rail

26. Sole Source Professional Services Contract – Public and Specialized Transit Planning Pg. 170

Approve Contract 05-003 with the firm of A Menninger Mayeda Alternative (AMMA) to provide public and specialized transit planning services in an amount not to exceed \$151,500 over two years as specified in the Financial Impact Section. **Mike Bair**

This item was reviewed and unanimously recommended for approval by the Administrative Committee on April 14, 2004.

[BRD0405a-mab.doc](#)

Other Matters

27. Consent Calendar Items Pulled for Discussion

Items pulled from the consent calendar shall be taken under this item in the order they were presented on the calendar.

28. Agency Reports/Committee Memberships

Commuter Rail Report Pg. 182

Council Member Patricia Gilbreath

South Coast Air Quality Management Report Pg. 186

Council Member Dennis Yates

SCAG Committees Pg. 190

SCAG Regional Council

SCAG Standing Committees

Administration Committee

Implementation Committee

Planning Committee

SCAG Policy Committees

Community, Economic and Human Development

Energy and Environment

Transportation and Communications

SANBAG Policy Committees Pg. 192

Acronym List [Acronym List.doc](#) Pg. 194

Public Comment

29. Additional Items from Board Members

30. Brief Comments by the General Public

CLOSED SESSION

Government Code Section 54957,
Public Employee Evaluation for Position of Executive Director; and
Government Code Section 54957.6
Conference with Labor Negotiator Bill Alexander regarding position of
Executive Director.

Government Code Section 54956.9
Conference with Legal Counsel – Existing Litigation
MCM Construction v. State of California, Caltrans, et al.
Office of Administrative Hearings Case No. A-0069-99

31. Executive Director Employment Contract Amendment Pg. 196

Approve Amendment No. 7 to the Executive Director Employment
Contract. **Bill Alexander**

**This item will be reviewed by the Board of Directors on
May 5, 2004. [BRD0405B-DRB.doc](#)**

ADJOURNMENT

Complete packages of the SANBAG agenda are available for public review at the SANBAG offices.
Staff reports for items may be made available upon request. For additional information call,
(909) 884-8276.

Meeting Procedures

The Ralph M. Brown Act is the state law which guarantees the public's right to attend and participate in meetings of local legislative bodies. These rules have been adopted by the San Bernardino Associated Governments (SANBAG) Board of Directors in accordance with the Brown Act, Government Code 54950 et seq., and shall apply at all meetings of the SANBAG Board of Directors and Policy Committees.

Accessibility

The SANBAG meeting facility is accessible to persons with disabilities. If assistive listening devices or other auxiliary aids or services are needed in order to participate in the public meeting, requests should be made through the Clerk of the Board at least three (3) business days prior to the Board meeting. The Clerk's telephone number is (909) 884-8276 and office is located at 472 N. Arrowhead Avenue, San Bernardino, CA.

Agendas – All agendas are posted at 472 N. Arrowhead Avenue, San Bernardino at least 72 hours in advance of the meeting. Staff reports related to agenda items may be reviewed at the SANBAG offices located at 472 N. Arrowhead Avenue, San Bernardino.

Agenda Actions – Items listed on both the "Consent Calendar" and "Items for Discussion" contain suggested actions. The Board of Directors will generally consider items in the order listed on the agenda. However, items may be considered in any order. New agenda items can be added and action taken by two-thirds vote of the Board of Directors.

Closed Session Agenda Items – Consideration of closed session items *excludes* members of the public. These items include issues related to personnel, pending litigation, labor negotiations and real estate negotiations. Prior to each closed session, the Chair will announce the subject matter of the closed session. If action is taken in closed session, the Chair may report the action to the public at the conclusion of the closed session.

Public Testimony on an Item – Members of the public are afforded an opportunity to speak on any listed item. Individuals wishing to address the Board of Directors or Policy Committee Members should complete a "Request to Speak" form, provided at the rear of the meeting room, and present it to the SANBAG Clerk prior to the Board's consideration of the item. A "Request to Speak" form must be completed for *each* item when an individual wishes to speak on. When recognized by the Chair, speakers should be prepared to step forward and announce their name and address for the record. In the interest of facilitating the business of the Board, speakers are limited to three (3) minutes on each item. Additionally, a twelve (12) minute limitation is established for the total amount of time any one individual may address the Board at any one meeting. The Chair or a majority of the Board may establish a different time limit as appropriate, and parties to agenda items shall not be subject to the time limitations.

The Consent Calendar is considered a single item, thus the three (3) minute rule applies. Consent Calendar items can be pulled at Board member request and will be brought up individually at the specified time in the agenda allowing further public comment on those items.

Agenda Times – The Board is concerned that discussion take place in a timely and efficient manner. Agendas may be prepared with estimated times for categorical areas and certain topics to be discussed. These times may vary according to the length of presentation and amount of resulting discussion on agenda items.

Public Comment – At the end of the agenda, an opportunity is also provided for members of the public to speak on any subject with SANBAG's authority. *Matters raised under "Public Comment" may not be acted upon at that meeting. The time limits established in Rule #4 still apply.*

Disruptive Conduct – If any meeting of the Board is willfully disrupted by a person or by a group of persons so as to render the orderly conduct of the meeting impossible, the Chair may recess the meeting or order the person, group or groups of person willfully disrupting the meeting to leave the meeting or to be removed from the meeting. Disruptive conduct includes addressing the Board without first being recognized, not addressing the subject before the Board, repetitiously addressing the same subject, failing to relinquish the podium when requested to do so, or otherwise preventing the Board from conducting its meeting in an orderly manner. *Please be aware that a NO SMOKING policy has been established for SANBAG meetings. Your cooperation is appreciated!*